

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION – CINCINNATI**

TALL TIMBERS CONDOMINIUMS UNIT ]  
OWNERS' ASSOCIATION, INC. ]  
Plaintiff, ] Case No.  
v ] Hon.  
TRAVELERS CASUALTY INSURANCE ]  
COMPANY OF AMERICA, ]  
Defendant. ]

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**NOTICE OF REMOVAL BASED ON DIVERSITY OF CITIZENSHIP**

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**NOW COMES** Defendant, Travelers Casualty Insurance Company of America, a Connecticut corporation, by and through its attorneys, Gregory and Meyer, P.C., and pursuant to 28 USCA 1441, hereby files this Notice of Removal of a cause of action filed in the Hamilton County Common Pleas Court of the State of Ohio entitled, *Tall Timbers Condominiums Unit Owners' Association, Inc. v Travelers Casualty Insurance Company of America*, Case No. A 1704612, and states:

1. This action was commenced against the Defendant, Travelers Casualty Insurance Company of America (“Defendant”), on September 1, 2017, and Defendant was served on September 8, 2017. In particular, service of process as well as the initial pleading setting forth the claim for relief upon which the action is based, was delivered to Corporation Service Company on September 8, 2017.
2. The action is a civil action for alleged breach of contract and bad faith against Defendant, and pursuant to 28 USCA 1332(a)(1), this Court has original jurisdiction over the

matter by reason of the diversity of citizenship of the parties. Plaintiff's Complaint alleges that its primary place of business is located in Hamilton County, Ohio, which is the subject of this litigation (**Ex. A**, Complaint at ¶¶1, 6); Defendant is a Connecticut corporation with its principal place of business in the State of Connecticut (*Id.* ¶2), and the amount in controversy exceeds \$75,000.00, exclusive of interest and costs, because Plaintiff's request compensatory damages in excess of \$25,000 and punitive damages, which may be awarded up to two times the compensatory damages under ORC 2315.21, therefore, the amount in controversy as alleged by Plaintiff exceeds \$75,000. (*Id.*)

3. A copy of all process, pleadings and orders served upon Defendant, as well as a Proof of Service of written notice of this Notice of Removal to all adverse parties and a copy of same being filed with the clerk of the State court, is being filed with this notice as required by 28 USC 1446 (a) and (d).

4. Defendant intends on filing a motion or first responsive pleading asserting as provided by FRCP 12(b) or other order of the Court, following removal.

s/ Kurt D. Meyer  
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KURT D. MEYER (0087580)  
**GREGORY AND MEYER, P.C.**  
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Dated: October 6, 2017

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**CERTIFICATE OF SERVICE**

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I hereby certify that on October 6, 2017, I electronically filed the *Notice of Removal Based on Diversity of Citizenship and this Certificate of Service* with the Clerk of the Court using the ECF system which will send notification of such filing to the following: Not applicable.

I hereby further certify that on October 6, 2017, I electronically filed a copy of the foregoing ***Notice of Removal Based on Diversity of Citizenship and this Certificate of Service*** with the Clerk of the Court, Hamilton County Court of Common Pleas, using the Court's Efile system, which will send notification to all attorneys of record.

I hereby further certify that on October 6, I served a copy of the foregoing ***Notice of Filing Notice of Removal and this Certificate of Service*** by United States First Class mail and electronic mail upon:

Sean P. Donovan, Esq.  
Jeffrey M. Nye, Esq.  
Christopher R. Jones, Esq.

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s/ Kurt D. Meyer  
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